

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Joint Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Switching in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-024  
(Filed February 21, 2001)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Loops in Its First Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 01-02-035  
(Filed February 28, 2001)

Application of The Telephone Connection Local Services, LLC (U 5522 C) for the Commission to Reexamine the Recurring Costs and Prices of the DS-3 Entrance Facility Without Equipment in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-031  
(Filed February 28, 2002)

Application of AT&T Communications of California, Inc. (U 5002 C) and WorldCom, Inc. for the Commission to Reexamine the Recurring Costs and Prices of Unbundled Interoffice Transmission Facilities and Signaling Networks and Call-Related Databases in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-032  
(Filed February 28, 2002)

Application of Pacific Bell Telephone Company (U 1001 C) for the Commission to Reexamine the Costs and Prices of the Expanded Interconnection Service Cross-Connect Network Element in the Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-02-034  
(Filed February 28, 2002)

Application of XO California, Inc. (U 5553 C) for the Commission to Reexamine the Recurring Costs of DS1 and DS3 Unbundled Network Element Loops in Its Second Annual Review of Unbundled Network Element Costs Pursuant to Ordering Paragraph 11 of D.99-11-050.

Application 02-03-002  
(Filed March 1, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ON OUTSTANDING MOTIONS FOR  
LEAVE TO FILE INFORMATION UNDER SEAL**

This ruling addresses several outstanding motions to file confidential material under seal in the above-captioned consolidated proceedings. The motions were filed between May 25, 2004 and September 20, 2004 by

AT&T Communications of California, Inc. (AT&T) and MCI, Inc. (MCI, formerly WorldCom, Inc.) (collectively, "Joint Applicants"), Pacific Bell Telephone Company d/b/a SBC California (SBC-CA), and other parties to the above-captioned consolidated proceedings. The motions address confidential materials included in comments filed on either the Proposed Decision of the Administrative Law Judge or the Alternate Decisions of various Commissioners. In addition, some of these motions request confidential treatment of material attached to *ex parte* filings used by parties during *ex parte* meetings with various Commissioners on the Proposed and Alternate Decisions. There was no opposition filed to any of these motions.

The information addressed by these motions involves business-sensitive data of SBC-CA, which, if revealed, could place SBC-CA at an unfair business disadvantage. SBC-CA has consistently designated company-specific network cost information as confidential and proprietary, and has made the information available to parties in this proceeding pursuant to non-disclosure agreements. As the local telecommunications market in California has become open to competition, the need for proprietary treatment of such confidential data has become increasingly important, because this information is highly relevant to competitive marketing and pricing strategies for these services. The Commission has granted similar requests for confidentiality in the past and will do so here.

Therefore, **IT IS RULED** that:

1. All outstanding motions to file material under seal in these consolidated proceedings, filed between May 25, 2004 and September 20, 2004, are granted for two years from the date of this ruling. During that period, the information shall not be made accessible or disclosed to anyone other than the Commission staff except upon execution of an appropriate non-disclosure agreement with Pacific

Bell Telephone Company d/b/a SBC California (SBC-CA), or on the further order or ruling of the Commission, the Assigned Commissioner, the Assigned Administrative Law Judge (ALJ), or the ALJ then designated as Law and Motion Judge.

2. If SBC-CA believes that further protection of the information filed under seal is needed, it may file a motion stating the justification for further withholding of the information from public inspection, or for such other relief as the Commission rules may then provide. This motion shall be filed no later than one month before the expiration date of today's protective order.

Dated October 26, 2004, at San Francisco, California.

/s/ Dorothy J. Duda  
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Dorothy J. Duda  
Administrative Law Judge

## CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Outstanding Motions for Leave to File Information Under Seal on all parties of record in this proceeding or their attorneys of record.

Dated October 26, 2004, at San Francisco, California.

/s/ Antonina V. Swansen  
Antonina V. Swansen

## N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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If specialized accommodations for the disabled are needed, *e.g.*, sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.